

1 HANSON BRIDGETT LLP
KURT A. FRANKLIN, SBN 172715
2 kfranklin@hansonbridgett.com
SAMANTHA WOLFF, SBN 240280
3 swolff@hansonbridgett.com
JENNIFER ANIKO FOLDVARY, SBN 292216
4 jfoldvary@hansonbridgett.com
425 Market Street, 26th Floor
5 San Francisco, California 94105
Telephone: (415) 777-3200
6 Facsimile: (415) 541-9366

7 HANSON BRIDGETT LLP
TYSON M. SHOWER, SBN 190375
8 tshower@hansonbridgett.com
LONDON D. BAILEY, SBN 240236
9 lbailey@hansonbridgett.com
500 Capitol Mall, Suite 1500
10 Sacramento, California 95814
Telephone: (916) 442-3333
11 Facsimile: (916) 442-2348

12 OTTEN LAW, PC
VICTOR OTTEN, SBN 165800
13 vic@ottenlawpc.com
KAVITA TEKCHANDANI, SBN 234873
14 kavita@ottenlawpc.com
3620 Pacific Coast Highway, #100
15 Torrance, California 90505
Telephone: (310) 378-8533
16 Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
18 REED, and COASTAL PROTECTION
RANGERS, INC.
19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
22

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation,

27 Plaintiffs,
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF JOSEPH
LANNING IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. S. James Otero
Date: February 21, 2017
Time: 10:00 a.m.
Crtrm.: 10C

1
2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N. F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,

17 Defendants.

18 I, Joseph Lanning, declare as follows:

19 1. For the last 30 years, I have resided in San Pedro, California.
20 Currently, I am a retired art director. I have personal knowledge of the
21 matters stated in this declaration and, if called as a witness, could and would
22 testify competently as to its contents.

23 2. I grew up in Manhattan Beach, California, and I attended
24 Aviation High School in Redondo Beach, California. I have also lived in
25 Torrance, Lawndale, and Redondo Beach, all in California. I attended El
26 Camino College in Torrance where I received an associate's degree in
27 general education.

28 3. I enjoy hiking and walking my dogs, both German shepherds,
and I like having the freedom to hike and walk my dogs wherever I can. I
have driven by Lunada Bay, and it's a beautiful place where I would like to
hike or walk my dogs.

1 4. However, for more than 30 years, while living in the South Bay
2 area, I have heard that Lunada Bay is off-limits to outsiders and that people
3 will be bullied and assaulted and their cars will be vandalized if they go
4 there. Although my German shepherd dogs might protect me, I would be
5 concerned that they would harm someone harassing me and I would be held
6 liable. I am informed and believe that the locals at Lunada Bay will harass
7 not just surfers but anyone who might be perceived as encroaching on their
8 territory. For these reasons, I have avoided visiting Lunada Bay.

9 5. On January 30, 2016, I wrote an e-mail to Palos Verdes Estates
10 Police Chief Jeff Kepley about my concerns regarding the bullying and illegal
11 activities of the Lunada Bay Boys. Chief Kepley responded on the same
12 day, and said that City staff is considering options "to deal with this situation
13 including gang-related legal remedies. ... Work continues on that front.
14 Further, staff is assessing options related to the stone patio, which too is not
15 as simple as one would think." Attached as **Exhibit 1** is a true and correct
16 copy of this e-mail exchange.

17 6. If it were safe for me to visit Lunada Bay and I were not hassled,
18 I would like to visit Lunada Bay to hike or walk my dogs. However, because
19 of the actions by the Lunada Bay Boys and the City of Palos Verdes Estates,
20 I am denied access to Lunada Bay.

21 7. I want the aggressive Bay Boys that engage in unlawful activity
22 to be barred from using this beach for sufficient time to change attitudes and
23 for this beach to be returned to the public. I want the City of Palos Verdes
24 Estates to enforce its ordinances fairly, for it to provide signage so people
25 will know Lunada Bay is a public beach, for it to provide signage marking the
26 safest trails to the shoreline, and for the police to take complaints by visiting
27 beachgoers seriously and be available to help in case non-local beachgoers
28 are assaulted or otherwise unlawfully excluded from Lunada Bay. I want to

1 be able to visit Palos Verdes Estates beaches, specifically Lunada Bay,
2 without being intimidated and to be safe in my person and property. And if I
3 am harassed, I want the City of Palos Verdes Estates police to take my
4 complaints seriously, instead of simply telling me to get along with the locals.
5

6 I declare under penalty of perjury under the laws of the United States
7 of America that the foregoing is true and correct.

8 Executed in SAN PEDRO, California on December 20,
9 2016.

10
11 
12 JOSEPH LANNING

EXHIBIT 1

Print - Internet Explorer provided by TOSHIBA

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Print - Close Window - Click More at the bottom of the email to print single message

Subject: Re: Bay Boys Solution

From: Jeff Kepley (jkepley@pvestates.org)

To: jplanning@yahoo.com;

Cc: jgoodhart@pvestates.org; jking@pvestates.org; bpeterson@pvestates.org; jrea@pvestates.org; jvandeever@pvestates.org;

Date: Saturday, January 30, 2016 12:24 PM

Thank you for your email and suggestion Mr. Landing. Our City staff members are considering many options to deal with this situation including gang-related legal remedies. You may know, however gang injunctions apply to only members of the subject group. The issue remains, for enforcement and prosecution purposes, who is and is not a member of that group. Work continues on that front. Further, staff is assessing options related to the stone patio, which too is not as simple as one would think. I so appreciate your sentiments and views. We are committed to creating and maintaining access to our coastal waters for all to enjoy and end the legacy of the Bay Boys. We need and appreciate your support.

Jeff Kepley
PVE Police Chief

Jeff Kepley

On Jan 30, 2016, at 11:41 AM, Joe Lanning <jplanning@yahoo.com> wrote:

Dear Chief Kepley,

Have you considered filing a gang injunction against these overage surf punk thugs? If they were forbidden access to the oceanfront area they have ruled over in defiance of the law for the past 30+ years, problem solved. Surely you know who they all are and can readily demonstrate to a judge that their past behavior warrants their permanent expulsion from Lunada bay and it's environs.

Also, demolishing their "fort" would be a good start, considering it is a tangible symbol of their power. Its removal, as well as an injunction, would send a strong message to the community and the world that the days of Bay Boy hegemony will no longer be tolerated or condoned by PVE. These actions would go along way to repairing the tarnished and embarrassing perception of PVE as accepting of violent localism. As it stands now, adjacent communities and the press, locally, nationally, and internationally, consider PVE a haven for illegal and violent behavior, as long as it is committed by locals.

The Bay Boys have "owned" that piece of oceanfront for 30+ years; it is considerably past time for the rest of us to have free and safe access to this section of the public coast.

Sincerely, Joe Lanning
San Pedro